

Applic. No. 09/927,545
Amdt. dated October 26, 2006
Reply to Office action of July 26, 2006

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Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1-15 remain in the application. Claims 1, 7, and 9 have been amended.

In item 2 on page 2 of the above-identified Office action, claims 1-15 have been objected to as being directed to non-statutory subject matter under 35 U.S.C. § 101.

The Examiner stated that all claims must produce a useful concrete and tangible result.

Claims 1 and 9 have been amended to recite that an output signal is output if an error mode is turned on and that an output signal is not output if the error mode is not turned on. Therefore, claims 1 and 9 do produce a tangible result. Accordingly the rejection of claim 1-15 under 35 U.S.C. §101 is believed to have been overcome.

In item 4 on page 3 of the Office action, claims 1-16 have been rejected as being fully anticipated by Ohwada (U.S. Patent No. 4,443,849) under 35 U.S.C. § 102.

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The rejection has been noted and the claims have been amended in an effort to even more clearly define the invention of the instant application. The claims are patentable for the reasons set forth below. Support for the changes is found on page 15, lines 15-16 of the specification and in claims 7 and 16 of the instant application.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claims 1 and 9 call for, *inter alia*:

the apparatus being configured for enabling an error mode to be switched on or off, to check whether an error mode is switched on, and to output the output signal as optical or acoustic signal if the error mode is switched on and not to output the output signal if the error mode is not switched on.

The Ohwada reference discloses an error recovery system, which monitors the operation of a computer. Ohwada discloses that executing means are provided to produce an error signal when an error is detected during execution of a particular one of the selected instructions (column 2, lines 4-6). Therefore, Ohwada discloses that an error signal is output every time an

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error occurs during the selected instructions. Column 4, lines 41-52 confirm this function of Ohwada. There, Ohwada discloses that a logic circuit (34) is monitored by an error detecting unit (45) as a whole. The error detecting circuits (46 to 48) carry out a parity check and produce an error signal when an error is detected during execution of a particular one of the selected instructions. Accordingly, every time an error occurs in the monitor circuits an error signal is produced.

The Examiner alleges that in lines 58-63 of column 5 of Ohwada, that the phrase "error mode" reads on claims 1, 9, and 16, which also use the phrase "error mode". Applicant disagrees with the Examiner. More specifically, in Ohwada, the phrase "error mode" only indicates that an error takes place in one of the package units.

Ohwada does not disclose that an apparatus is configured for switching an "error mode" to be switched on or off. Furthermore, in Ohwada, lines 43-53 in column 7 are directed to the error detection, because an error signal ER is produced by the one detecting circuit in question and is sent to every package unit when an error is detected by one of the detecting circuits (46 to 48) as a result of the occurrence of the error in one of the package units (41 to 43). Therefore, Ohwada

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again discloses that an error signal is output when an error occurs.

However, in claims 1 and 9 of the instant application, the apparatus is configured for enabling an error mode to be switched on or off and the error signal is only output when the error mode is switched on. Therefore, in the present invention as claimed, if the error mode is switched off, the error signal is not output even if an error occurs and is detected.

As seen from the above-given remarks, the reference does not show the apparatus being configured for enabling an error mode to be switch on or off, to check whether an error mode is switched on, and to output the output signal as optical or acoustic signal if the error mode is switched on and not to output the output signal if the error mode is not switched on, as recited in claims 1 and 9 of the instant application.

Ohwada discloses that the error signal is always output if an error is detected. Ohwada does not disclose that an apparatus is configured to switch an error mode on or off. This is contrary to the invention of the instant application as claimed, in which the apparatus is configured for enabling an error mode to be switched on or off, to check whether an error mode is switched on, and to output the output signal as

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optical or acoustic signal if the error mode is switched on and not to output the output signal if the error mode is not switched on.

Since independent claims 1 and 9 are believed to be allowable, dependent claims 2-8 and 10-16 are believed to be allowable as well.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1 or 9. Claims 1 and 9 are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claims 1 or 9, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-16 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

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Please charge any other fees which might be due with respect
to Sections 1.16 and 1.17 to the Deposit Account of Lerner
Greenberg Stemer LLP, No. 12-1099.

Respectfully submitted,



For Applicant(s)

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